

EXHIBIT K

1 why I was choosing a particular person, including, you
2 know, kind of going through their IA files and saying
3 what sort of discipline they had. And I had to
4 justify it before Mr. Sapp and Mr. Singleton, and that
5 has never occurred before.

6 During my conversations with Mr. Sapp, and
7 this is the quote and I spoke to the county about, you
8 know, that I told him that we had three positions, and
9 I told him who I wanted to promote, that I wanted to
10 promote Mr. Treadwell, John Treadwell, Trini Navarro,
11 and that there was -- the third position there were
12 two candidates, one was a Trish Davies and one was
13 Wendi Feeser. I think both could have developed into
14 good sergeants, but I was leaning towards Wendi Feeser
15 because Trish Davies had some negative reports from
16 her supervisors concerning her working as a team,
17 teamwork ability. She was a bit of a loaner. Wendi
18 Feeser had a higher education, was known as a team
19 player. So I was leaning towards Wendi Feeser.

20 And I said that that would give us a
21 black, a Hispanic and a female, which is an area that
22 the county was weak in in terms of minority
23 promotions. That's something I had been trying to
24 change since I've taken office, and something I recall

1 at some time having a conversation with the county
2 executive many, many years ago when I first took over
3 about, you know, minority promotions and diversity in
4 promotions.

5 Q. You're talking about, when you said county
6 executive, you're talking about Tom Gordon at that
7 point?

8 A. I'm sorry, then it would have been Council
9 President Coons. You know, I knew he was interested
10 in diversity. I think we had had a conversation about
11 the Diversity Commission.

12 So, you know, my thought was we could
13 really -- when I took over as chief of police, we had
14 one Hispanic sergeant, we had one African-American
15 captain, one, I think one African-American lieutenant,
16 and maybe one African-American sergeant. We had one
17 female captain and two female sergeant, and that's it.
18 And so we were trying to, you know, obviously better
19 that situation and be more reflective of the
20 community.

21 Q. And this was with a police force of 350 plus?

22 A. That's correct. It was not particularly good
23 numbers.

24 Q. Now, when you talked about the three positions,

1 let me make sure I understand where this fell into the
2 context. Was this when you went over to the
3 Government Center to talk with Sapp and Singleton?

4 A. No, this was, the three positions, there were
5 conversations in Mr. Sapp's office back when we
6 started talking, first talking about promotions. And
7 he agreed, let's do it. Then he came back and said
8 no, let's not do it, it's because of money.

9 I pulled the sort of the fiscal aspect of
10 it, had William Dill come down and talk with him,
11 Butch Dill, showed him that the money didn't really,
12 it didn't, that didn't make sense, it's really a
13 nominal bit of money. But he sort of held with that,
14 and then later on it became now we need more patrol
15 officers than we need the sergeants.

16 But all the while I kept talking about the
17 ones that I wanted to promote. So the conversation
18 concerning that probably took place a couple of
19 different times. When we only had one sergeant
20 position, when they only released one, was when John
21 Treadwell was promoted.

22 Q. Why was that?

23 A. Because at that point he was, John was, at that
24 point the top of the list, but also a good candidate.

1 And compared to the other four, the other four at that
2 particular time in that top five really weren't viable
3 candidates, in my assessment. One had received major
4 discipline for evidence violations. One was, he had
5 worked for me before. He had been facing discipline
6 for failure to complete his reports. He had had a bit
7 of a nervous breakdown during the accreditation
8 process. I don't want to qualify as a nervous
9 breakdown, because I'm not a psychologist. He had --
10 he was known as a person who could do one thing and
11 one thing only at a time. And I think promoting him
12 to sergeant would be -- well, he just, he didn't fit
13 what a sergeant should be at all.

14 One had, was facing being removed out of
15 the detectives for, again, some misuse with some
16 attendance and not being a team player.

17 Q. All right, let me go back. You said when there
18 was one position that you were able to fill, that was
19 John Treadwell, correct?

20 A. That's correct, yes.

21 Q. All right. And you said there were four others
22 who were on that list at that point, correct?

23 A. Correct.

24 Q. Can you name the four others that were on that

1 if anything, of the chief of police? You get budget
2 calls for 36 sergeants' positions and you make 38
3 sergeants.

4 A. Right.

5 Q. Is there any limitation, any constraint
6 whatsoever?

7 A. In the past we overpromoted essentially just by
8 looking at the budget and making sure that we could
9 afford to do it, and asking for additional reqs and
10 you just, you would tell HR, "This requisition is
11 going to be in lieu of a patrol officer. We're going
12 to make it a sergeant," was sort of the --

13 Q. And HR didn't have to clear with anybody in
14 charge of budgeting inside the county?

15 A. I don't know what HR did. I don't. I called
16 Pat Lutz DiIenno and said, "I want to promote the 38
17 sergeants." "Okay, do you have open positions?"
18 "Yes, I do." "Okay."

19 Q. But at some level you didn't. You only had --

20 A. I had open patrol officer positions.

21 Q. Oh. So you say yes, you took from her
22 question, "Do you have open positions," "Yes, I have
23 those positions."

24 A. Yes.